



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/645,892 Confirmation No. : 8201  
First Applicant : Michael C. Bednarek Art Unit : 3739  
Filed : 20 August 2003 Examiner : Alex B. Toy  
Title : Ablation catheter and electrode  
Docket No. : 001-041601US  
Customer No. : 33486

---

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This Amendment is submitted in response to a telephonic interview with the Examiner on 26 October 2005, and to the Office Action mailed 17 August 2005, in which the Examiner identified six "patentably distinct species" of the claimed invention. In the telephonic interview, agreement was not reached between Applicant and Examiner. The Applicant elects Species I identified by the Examiner, which is depicted in Figs. 3A-3C, for initial prosecution. Although the Applicant does not necessarily agree with the Examiner's break-out of Species I, the Applicant makes this election **without traverse** to advance prosecution. Claims 1-31 read on the elected Species I. No claims have been withdrawn from consideration. A full listing of the claims in view of this election is presented below on pages 2-5.

If the Examiner has any additional questions, he is encouraged to contact the attorney of record, **Reed R. Heimbecher, Reg. No. 36,353**.

Respectfully submitted this 17th day of November 2005.

Mark A. Thomas, Esq.  
Registration No. 37,953  
Customer No. 33486  
HEIMBECHER & ASSOCIATES, LLC  
390 Union Blvd., Suite 650  
Lakewood, Colorado 80228-6512  
303-279-8888 (TEL), 303-985-0651 (FAX)